

August 10, 2012

VIA ELECTRONIC MAIL

The Honorable Denise L. Cote
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 1610
New York, NY 10007

Re: *FHFA v. JPMorgan Chase & Co., Inc. et al.*, 11 Civ. 6188; *FHFA v. Ally Financial Inc., et al.*, 11 Civ. 7010; *FHFA v. First Horizon National Corp. et al.*, 11 Civ. 6193; *FHFA v. SG Americas, Inc. et al.*, 11 Civ. 6203

Dear Judge Cote:

We write on behalf of all parties to the above-captioned actions to update the Court on the parties' discussions regarding the proposal by JPMorgan Chase & Co. and its affiliated defendants ("JMPC") to use predictive coding in the review and production of documents in these actions.

The parties have made significant progress since the teleconference with the Court on this issue held on July 24, 2012. Counsel for plaintiff FHFA and counsel for JPMC have attended 12 meet and confers, including four in-person meetings. After each meet and confer, JPMC, with the assistance of Xerox Litigation Services, has circulated a "Daily Progress Report," which memorializes the topics discussed during the meet and confer. Enclosed are two examples of those Daily Progress Reports. The parties will continue to cooperate in good faith. Neither party has a dispute to raise with the Court at this time. The parties have reached an agreement in principle with respect to the terms of Plaintiff's access to the so-called "seed set" documents that JPMC agreed to provide to Plaintiff. Should the parties be unable to finalize this agreement in principle, they may seek the Court's assistance in resolving this issue.

Respectfully submitted,

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